A

# LETTER

TO

# SIR JOHN SCOTT,

HIS MAJESTY'S ATTORNEY-GENERAL,

ON THE

SUBJECT OF A LATE TRIAL

IN GUILDHALL.

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### SECOND EDITION.

Αγαμεμνου, 86, ει, πελεκυν εν χεροιν έχων, Μελλοι τις εις τραχηλον εμβαλειν εμον, Σιγησομαι, δικαια γ αντειπειν εχων.

EURIPIDES.

All things shall be ordered, all things regulated and settled! nothing written, but what passes through the Custom-House of certain Publicans, written, but what passes through the Custom-House of certain Publicans, that have the tunaging and the poundaging of all free-spoken Truth.

Milron.

SOLD BY THE AUTHOR, AT HACKNEY.



SHOOM EDITION.

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House String

goldton (beltin) fina logiciotta erable dis l'accioto ad Radiegnite illa giscolli (Translet, campioti della compania della compania di bila gargoni) esti di la campio di la compania di coltuna anglogi orbi di la l'accionalizza por bila gargoni) esti agni della compania di la compania di la

COLD IN THE AUTHOR, AT MACHETY

### LETTER

TO

## SIR JOHN SCOTT.

SIR!

I FEEL myself impelled to take the liberty of addressing you, not in the spirit of hostility and defiance, but with the firmness and æquanimity of conscious rectitude; -in a language equally remote from vexation and refentment, from submission and adulation; -with an indifference to all human consequences, which might appear like affectation to a stranger, if exhibited in correspondent words: in fuch language, I fay, and with fuch affection prefume to folicit your attention, and that of o countrymen at large, to a few remarks on the late trial in Guildhall. Great allowances should undoubtedly be made, and those allowances are made by me, for the conduct of men bigotted by education, embarrassed by impure connections, entangled in the trammels of forms and the tyranny of precedents, under the dignified and fonorous title of. " the Wisdom of our Ancestors;"

(The classics of an age, that heard of none)

which are regarded by the scholastic speculators of abstract truth, as the despicable sigments of unenlightened periods, and the accumulated absurdities of ignorant and interested men. For, to condemn modern intellect of infelicity, with the experiences of the past before it, in competition with the en-

dowments of our progenitors, is not only a libel on the measures of divine providence itself, which is perpetually educing superior virtue \* from encreasing knowledge; but contradicts the clearest deductions of the most renowned sages of antiquity. Say not thou, what is the cause that the former days were better than these: for thou dost not enquire wisely

concerning this t.

tocard/

With these allowances for the untowardness of your lituation, and the fundamental erroneousness of your conceptions, as they appear to me, I feel no disposition to condemn your conduct towards myself on the late occasion, as rigorous or uncandid; and gladly make this public acknowledgement in your favour. But a few particulars then occurred to my notice, to which I cannot fo readily concede; and which, though a respect for you might have induced me to pass by in silence, I am called upon to review by confiderations of public duty, and (with your leave) by a still paramount infligation, a REVERENCE for MYSELF I. However, though it be most resolutely both my intention and wish not to utter a single syllable, that can caple uneafiness to a mind really virtuous, or that eight to give offence to one, who entertains the least respect for private opinion and liberal discusfion; I have been for some time doubtful, whether maxim of our Saviour, whose precepts and conduct are my fole guides even in the most trivial

Ανερες, Εννοσιδά γενος, ΑΙΔΕΣΘΕΝΤΕΣ ΑΛΚΑΝ—.

<sup>\*</sup> Isaah, xi. 9. 2 Peter, i. 5. † Ecclesiastes, vii. 10. † — παντων δε μαλιστ' αισχυνεό σαυτον: Pythagoras. Seneca, de benef. viii. 1. — se magis veritus, quam alios. Democritus, in Stob. ecl. mor. xxxi. Μαθε δε πολυ μαλλον των αλλων σεαυτον αισχυνεσθαι. Pindar. Pyth. iv. 308.

incidents of human life, did not by it's implied application diffuade me from this procedure; When they perfecute you in one city, flee into another\*: as I saw you disposed alas! to wield that sword of the law, by which you are armed, with a severity, I should be extremely forry to see exercised on yourself †. For the letter of conciliation and apology, formerly written to you privately in behalf of Cuthell, appeared to have produced the contrary effects of exasperation and resentment; and the oil of tranquillity served but to rouse the troubled ocean into a degree of sury seldom witnessed even on that element. Yourself, Sir! and a pre-eminently soul apostate ‡,—

(Omnibus umbra locis adero; dabis, IMPROBE! pœnas.)

who is daily accumulating the reprobation of the wife and good, and will reap a full harvest in the

\* Matthew, x. 23. † Your illaudable aptitude at profecution reminds me of a verse to be found in several collectors of old proverbs:

Δικην υφεξει, κάν ονος δακη κυνα.

He action for affault allows, Sir!

If Fack A/s B should bite A Towner.

† Matthew, xxiii, 13 27—34. 2 Peter, ii. 20, 21. This feourge of nations, fince my last rencounter with him, has distinguished himself as a sabbath breaker, and, I fear, in the estimation of Jesus, (see Matthew, v. 28. and compare Juvenal, xiii. 200. see also the collect for John the Baptist's sessival in the Common Prayer) a murderer also; thus insulting and defying, by one act and in one instant, the laws of God and of his Country. Yet, as I profess myself one of that number, not disapproved by St. Paul, Romans, xiv. 5. who esteem every day alike, I will readily acquit him on the former count: and, as I firmly believe, and sincerely hope, that the pistols of both combatants were charged with nothing upon earth but chew'd paper, or some similar innoxious materials, I as cordially discharge him from the feedule. In surther demonstration of my philanthropy, I earness

execrations of posterity: yourself, I say, and this man, when Mr. Tierney, with the most benevolent intentions, but with unadvised precipitation and inexcusable incorrectness, mentioned our case in the house of commons, thundered and lightened your coruscations and tempests of indignation on this devoted object; the piteous beadsman, who now ventures to present himself before you!!

Besides, another suspicion came into my mind in opposition to this address; and, if that were well founded, an attempt to influence you on the present subject was evidently doomed to the most unfortunate termination possible. Your judgment might probably accede to a remark of the noble and learned judge, who prefided on that memorable day; and spoke of himself as "having made up " his mind on certain subjects:" moulding wherewithal his own private practice into an unlimited position for the regulation of human life in general: viz. "That there was a period of life, when " it became the wisdom of a man to be satisfied " with his knowledge, and to flut up his under-" standing to all further enquiry and improve-" ment." The delivery of this extraordinary fentiment, which was ascribed to Addison, made me furnion my recollections.

"Cessatum usque adhuc est; nunc porro, Æschine! ex-

faid I to myself with considerable emotion. " If " lord Kenyon's maxim be just, thou hast labour-

befeech my old and much esteemed friend the bishop of Lincoln, (and in this I shall only four the willing courser) to absolve him from the aggregate of this offence; and I lastly entreat Mr. Wilberforce, (with a hearty wish that my interest with him were greater than, I fear, it is) to re-admit this worthy name into his catalogue of vital Christians.

"ed, pide boute, my dear heart! under a fundamental error fince the beginning of thy reasoning existence; and it is time for thee to disabuse thyself of thy temerarious and irrational persuasions." But, in opposition to such great authority, it was presently suggested to my thoughts, that some respectable advocates were on my side; especially one Solon, a citizen of no mean city; or rather legislator to the most accomplished state for arts and letters, that has yet diffused it's radiance through the regions of Intellect and Science. This man, who has defervedly established an illustrious name both for wisdom and experience with posterity as well as his contemporaries, afferts most expressly of himfels,

Τηρασκω δ' αιει πολλα διδασκομένος.

I grow in Wisdom, as I grow in years.

I would fondly hope, therefore, that Sir John Scottis rather disposed with me, bad company as I am,
to be a disciple of the Athenian lawgiver on this
occasion, than of the British judge: especially too,
as be may not have arrived at that grand climacteric of information, when it becomes more adviseable to acquiesce in the remaining sollies of
mortality, than to discard them, by vigorously
pursuing the direction of a sacred penman, and
Going on unto perfection\*.

After this unsophisticated and uncourtly adjustment of preliminaries, proceed we to a discussion

<sup>\*</sup> Hebrews, vi. 1. compare Philippians, iii. 12—15. Of fuch doctrines it may truly be faid, These things are good and profitable unto men: Titus, iii. 8: But there are people who jabber creeds and mumble pater-nosters all their lives, and continue no less ignorant of the power and spirit of Christians ANITY, as a noble invigorator of the heart and intellect, than a benighted changeling of Castraria.

of a few not uninteresting points, that constitute

the principal object of this address.

I. You exprest yourself, Sir! in your reply to Mr. Erskine, as extremely scandalised at my use of such phrases, as the "poorer classes of society." You animadverted on this language in a very indignant style of philosophical ratiocination, bordering even on theological solemnity. "The various orders of society," you replied (I mean to give the substance, not the words, of your observations) "were of divine appointment; and the poor became a necessary part in the general arrangement of the Creator." Your gravity, your piety, and summary decision, brought to my recollection some apposite verses of our illustrious moral satirist:

"God cannot love" (fays Blunt, with tearlefs eyes)
"The wretch he starves:"—and piously denies.
But the good bishop, with a meeker air,
Admits, and leaves them, Providence's care.

Why, yes truly. Sickness also is the allotment of God: but is that scripture therefore to be contemned, which bids us honour a physician with the bonour due, because the Lord treated bim \*?" These inequalities certainly are the dispensations of the Deity, who has ordained this intermixture of good and evil, for wise and gracious purposes; for the proof of philanthropy on one hand, and of resignation on the other. But such trials are still evils in themselves, though the benevolent means of our improvement in sublimer virtue by a harsh and rigid discipline.

Deus ipfe colendi

Haud facilem esse viam voluit; primusque per artem

Movit agros, curis acuens mortalia corda,

Nec torpere gravi passus sua regna veterno.

Virg. Geo. i. 121.

<sup>\*</sup> Ecclesiasticus, 'xxxviii. 1.

Would you, Sir John! or any other individual in the richer classes of society,

Heathcote himself, and such large-acred men, Lords of fat Esham, or of Lincoln fen;

would ye accept the apology of a tenant for the non-payment of his rent, from the multitude of weeds, which the dispensations of the Lord of Nature foread with unremitting luxuriance over the furface of his fields? No: you would expect him to counteract this untowardliness of mischievous fertility by every exertion of manual labour and agricultural ingenuity. Such, I opine, precifely is the duty of the rich and powerful towards the poor: not a supine acquiescence under a pretence of providential dispensation, but an unceasing effort to an effential melioration of mortality, by a gradual establishment of more equality among them, and a consequent banishment of one grand source of ignorance and wretchedness from the earth. Though you, however, be unhappily of a different fentiment from me in this respect, I can easily console myfelf under fuch misfortune, by reflecting, that I am authorifed in these speculations by the precepts and practice of a personage highly dignified, and supereminently gifted: no less a character indeed, than one, of whom we both have heard, but neither of us, I fear, have followed fo steadily and loved fo fervently as we should have done; - Jesus of NAZARETH, the great apostle \* of Jehovah, and the Saviour of the world. Sir! the poor, whom I commiserate, whose condition even in this civilized country, dark, and depraved as it is from that

darkness, I would sacrifice even my life to mend; but whom you so contentedly refign to the infelicities of their lot:—the poor, I say, were the capital concern of the Son of God. The poor have the gospel preached to them \*. This oracle of divine wisdom makes, you see, his peculiar consideration of the poor even a criterion of the authenticity of his coelestial defignation. And give me leave to inform you, Sir! (for whatever may be your skill in the frivolous subtleties of municipal and statute law, which I value as Mr. Burke valued, your proficiency in the divine law feems the proficiency of a catechumen only) that the Christian Revelation is not marked with a more characteristic, with a more convincing, and a more awful, feature; -with a pretention, that will better endure the morosest ferutiny of found philosophy,—than this predominant attention in the Redeemer of mankind to the fituation of his poorer brethren. Christ found the rich and noble immerfed in the abyss of luxury and diffipation; the Pharifees, Scribes, and Lawyers, wholly engroffed in the purfuit of fecular interest, by every mercenary artifice and every implement of oppression and hypocrify, amidst a profound ignorance of important truths: in short, all the higher classes of society were devoted, he saw, to Belial and to Mammon; one going his way to extortion + and rapacity; another to his farm and to his merchandiset. The hearts of the poor only were

† Matthew, xxiii. 14. 25. ‡ Matthew, xxii. 5

<sup>\*</sup> Matthew, xi. 5. See remark xxiv. of my Evidences of Christianity, second edition. Governments, by their own DEPRAVETIES AND IMPLETIES, make men vicious and poor, and then—neglect and despise them. See Deuteronomy, xv. 4. and the marginal reading there.

that good ground\*, weeded by discipline and furrowed by adversity for receiving and cherishing the seed of Gospel-truth. This, Sir John! is not the language of insult and inflammation, but the unexaggerated statement of authentic history, as delineated by the pen of Immortality and Truth on

the adamantine tablet of Revelation.

But this refult of our Lord's intercourse with his countrymen was nothing more than the comment of Experience on the text of Reason and Philofophy. The admission of knowledge can take place only through the medium of inclination and capacity. But with the present condition of the poor, capacity can never coalesce; with the general circumstances of the rich, inclination is equally incompatible. I am not now propounding an universal truth in point of fast, but am stating merely the genuine tendencies of things. There can possibly be no pure evangelical religion predominant among mankind, 'till the extreme orders of fociety approach nearer and nearer to an union with each other. RELI-GION and VIRTUE can only fland fecure on the firm pedestal of KNOWLEDGE. The common people must have that consideration and care, that instruction and cultivation of intellect, from their rulers and superiors, which they do not receive in this country, and which those rulers and superiors are not fuitably folicitous to give: or they never can be efficient professors of Christianity. Gallio careth for none of these things t.

I speak of no man in his private character, his social affections, and domestic habits. I am per-suaded, that many of our ministers, and yourself among the rest, are in themselves amiable and in-

<sup>\*</sup> Matthew, xiii. 8.

teresting men, of sentiments and endowments, that would demand my love and admiration, had I the honour of knowing and converfing with them. But, I ask you, Sir! are their thoughts and time occupied by benevolent provisions in a thousand ways for the welfare of the subject, and of the poor especially; or in making advantageous contracts, in raising armies, in building navies, in strifes about offices and appointments in church and state; and in all the multitudinous interests and intrigues of fecularity and ambition? We all know the fact. It is daily present to our eyes and ears. Now these defects are not imputable to any native perverlities of disposition, but to the incidental obliquities of situation; to the baneful counteraction of a system radically wrong: which vitiates the ingenuous springs of action, and entombs the charities of general benevolence in the gulph of a most calamitous SELFISHNESS, at once fordid, hard-hearted, infatiable, and unrelenting.

Sir! I feel emboldened by the dignity of my fubject, and the animating principles which I am laying down\*, to tell you and your MASTERS, that the promotion of knowledge and religion, the root and branches of all happiness, temporal and eternal, is not the Ruling object of the statesmen of Great Britain. And, though these defaulters may be acquitted in courts, where human justice is accustomed to domineer, they must be pronounced guilty by a tribunal, which no chicanery can elude, no emoluments can blind, no prospects can seduce: guilty, of opportunities unemployed, abused, or trampled under soot. The reality, as it presents itself before us, precludes all hesitation and uncertainty. By their fruits ye shall know them †.

tainty. By their fruits ye mail know

<sup>\*</sup> Pfalm, cxix. 46.

The truth is, and THE GOD AND FATHER of our Lord Jesus Christ, who is blessed for evermore, knoweth that, I Lye not\*;—the whole character of human governments, all their views, and all their operations, are so exceedingly corrupt, so absolutely secular and carnal, so diseased in every part; so entirely wound, and bruise, and putrifying sore;

As far remov'd from God and light of heaven, As from the center thrice to th' utmost pole;—

that a man must either neglect his duty to his creator and his fellow-creatures, he must abandon all his interest in the Gospel and human happiness, or by flating a MERE FACT, luminous, prominent, and unconcealable, endanger a profecution from foolish lawyers, who themselves are an essential part of those corruptions, for uttering what they have the audacity to pronounce forfooth! scandalous AND MALICIOUS LIBELS! We condemn these corruptions to their face; and we appeal to our pacific habits, to our declared fentiments, to our general connections, to the known tenour of our lives, for our fincerity, our difinterestedness, and our simplicity, in these transactions. " Bitter waters," we fay, " must issue from a bitter fountain t. "Out of the abundance of the heart the mouth ce speaketh &. If we have spoken evil, bear witness of the evil ||." Their reply is fummary, fignificant, and explicit. " Away with such a fellow " from the earth \* \*! Away with him! away with so bim, it is not fit that be should live! Crucify bim!

<sup>\* 2</sup> Corinthians, xi. 31. † Ifaiah, i. 6. † James, iii. 11. § Matthew, xii. 34. | John, xviii. 23. \* \* Acts, xxii. 22.

" crucify bim \*!" You and your's, Mr. Attorney-general! may do as ye please, and serve what Gods ye please: as for me and my bouse, we will serve the Lord †. When the alternative presents itself under fuch an awful aspect to the contemplation of my conscience, no terrors of man shall force me from the path of duty ‡: no local and perishable institutions, that profit by their own wrongs, shall fuperfede with me the prior and immutable obligations of eternal justice. I trust, I shall ever bear in mind, and be bold to proclaim before you, and any judicature in the universe, that true test of the faith and fortitude of a Christian: Whosoever Shall be ASHAMED of me and of my words, in this ADUL-TEROUS AND SINFUL GENERATION, of bim alfo shall the son of man be ashamed, when he cometh in the glory of his Father with the holy Angels |.

I shall conclude these disquisitions upon the rich and poor by a very samiliar, but apt and artless illustration, in the genuine style of primæval simplicity, by a man of most rare talents and accomplishments, which I have long contemplated with admiration, William Paley, a distinguished dignitary in the church of England. Yet I must premise, Sir John! this is not a fable. I recollect, that you have taken very unkindly my resuscitation to your memory of a most edifying apologue by our infantile preceptor Æsop, with the salutary moral of his interpreter, Dr. Croxall. Horresco referens! This renders me extremely solicitous by

<sup>\*</sup> John, xix. 15. † Joshua, xix. 15. † Όμως το γ' ορθον, και δικαιον, ε ποτε Σιγη παρησω την γαρ εντεθραμμενην Αστοις Αθανας, τη τε Θησεως πολει, Καλον φυλαξαι γνησιως παρέησιαν.

timely premonition to preclude your apprehensions on this occasion.

" If you should see a slock of pigeons in a field of corn; and if (instead of each picking where, and what it liked, taking just as much as it wanted, and no more) you should see ninety-nine of them gathering all they got into a heap, referving nothing for themselves, but the chaff and refuse: keeping this heap for one, and that the weakest perhaps and worst pigeon of the flock; fitting round, and looking on all the winter, whilst this one was devouring, throwing about and wasting it; and, if a pigeon more hardy or hungry than the rest, touched a grain of the hoard, all the others instantly slying upon it, and tearing it to pieces: if you should see this, you would see nothing more than what is every day practifed and established among men. Among men you fee the ninety and nine, toiling and scraping together a heap of superfluities for one, getting nothing for themselves all the while, but a little of the coarfest of the provision, which their own labour produces; and this one too, oftentimes the feeblest and worst of the whole fet, a child, a woman, a madman, or a fool; looking quietly on, while they fee the fruits of all their labour spent or spoiled; and if one of them take or touch a particle of it, the others join against him, and hang him for the theft."

2. In the next place, Sir! I offer you a choice between a most infamous misrepresentation of my meaning, or a stupidity most incorrigible. In p. 46 of the pamphlet it is said, "I have now animad-" verted, as far as I thought sufficient, but with

" studied lenity and a perpetual repression of my feelings from a consideration of the distinguished

character, whom I oppose—." You stopt short at the word feelings, and interpreted the passage

with effential prejudice to the defendant on the minds of the jury, as a writer in the Monthly Review had done before you, into a fignification of a lefs rough treatment of the ministers, than what my feelings and inclination prompted. When a bater of villainy, a μισοπονηρώ, like myself, speaks of whom he thinks not the least of villains, under a sense of duty to God, to fociety, and himself, he is not apt to be very timorous in the choice of his expreffions: not because he loves abusive and inflammatory language, but because truth is the idol of his heart, and he delights in characterifing all things by their appropriate denominations. This adequacy of description I intended to accomplish; and this, even, I believe, in your own opinion, was actually accomplished. With what confishency then (and consistency is, I trust, a part of my character) could I be supposed to speak of lenity and repression of my feelings in that view? Absurd! No, Sir John! the context fufficiently explains itself, as referring to my respect for the Bishop only. truth is, I have for some time past entertained an opinion, (but possibly an opinion most erroneous) that his views and conduct are too temporifing for a man of his abilities and virtues; and that his measures, relative to his divinity-professorship at Cambridge, are obnoxious to peculiar reprehenfion: but I felt no defire to deliver this opinion against a prelate of such distinguished worth, in the presence of the public; a prelate, to whom I have often liftened with admiration and improvement in the most masterly discharge of his professorial office in the schools; a prelate, whom I regarded, for his learning, his liberality, his intrepidity, and the masculine vigour of his understanding, as the most luminous ornament of our alma mater; a prelate, moreover, who had commended me in his writings, and generously promoted my translation of the New Testament some years ago. I now state these things with pain and reluctance; though my censure be merely hypothetical, but my commendation, hearty, and beyond dispute. If, however, this declaration be of any moment to himself, or to the public, the acknowledgments \* are due to the critical exercitations, Sir John! of a most bungling scholiast on my pamphlet; and are consessions wrung from me by torture for a vindi-

cation of myfelf. ve allowed

3. Your production, Sir! of that cheap edition of my pamphlet, without an intention to enquire into its origin, and connection with us, was infidious and malignant in a degree, to which no feverity of language could do more than justice. Besides that copy, which you feem to have referved for your private perusal in your closet, these eyes never faw but one: and that one was fent me by a friend: and Cuthell is fo entirely free from all imputation of this kind, that I believe fifty pounds would not have induced him to fell another of the pamphlets after your arrest, had he kept one in his possession: but in truth I immediately ordered them all away; nor did any bookfeller, in the midft of abundant applications, ever obtain a fingle copy from me for fale to this very day; to the destruction of a gay vifion of emolument, which was dancing with most alluring splendors before my eyes. To be sure, from a respectful homage, which no man pays more willingly than myself to worth in exalted stations, and from a defire, which I hope always to feel, of

A quæ hæc amentia est?

Enimvero prorsus jam tacere non queo;

Nam cogis, ea, quæ nolo, ut præsente hoo loquar.

Terénce.

gratifying, to the utmost of my ability, every fellow-creature, biped, quadruped, or multiped, within the sphere of my benevolence; from these principles, I say, I contrived to convey a copy, but indirectly, on his grace's application, to the Archbishop of Canterbury, and several other personages of distinction.—But iron and clay\* will not incorporate. Surreptitious editions, and clandeftine contrivances for filthy lucre, come not into contact with my character. Such charges are repelled by me, as the spears of the seven brethren were repelled, frustrate and innoxious, by the coelestial armour of Æneas:

\_\_\_\_ galeâ clypeoque refultant

I am a fool in glorying; but you have com-

pelled me.

4. Now, Sir! permit me to exhibit the progress of our trials in the naked simplicity of facts; and then to subjoin my comments. I pledge my veracity with the public for the sidelity of this narrative, and leave your pride, or your condescension, to obviate those reflections to the disadvantage of your boasted candour, which must necessarily arise in impartial breasts, by such explanations or resutations, as you may choose to offer.

Cuthell received a copy of his forty-eight jurors on June 23d — these jurors were not reduced till July 4th.—out of the twenty-four remaining after the customary reduction, one was dead, and another in a state of mental derangement, and under professional discipline for his disorder:—the trial was fixed for the 6th. at Westminster, two days after:—you put off the trial, because the full num-

ber of jurymen did not appear in court. In confequence of this, Jordan was tried first, at Guildhall, on the 17th of the same month.

Now my remarks are these, - ARRIGE AURES,

PAMPHILE!

Cuthell, who had fold my works, or rather my opuscula, but had never published, either for me, or any human wight, a fingle page before this wonder-working bantling was ushered into light by his obstetric hand; Cuthell, I say, knew no more of its contents, at the time he fold it, than some folks know of the true principles of religious and civil liberty: viz. just nothing at all. Therefore, if ever there was a man of absolutely innocent intention in any respect whatever, Cuthell was that man in this. Certainly then, it could not be for the advantage of a cause, which wanted to make out a charge of several scandalous, malicious, and seditious libels, (mercy on me! what diabolical language!) to BEGIN with Accordingly, fo fmall an interval was allowed (mark this) for the fummoning of a jury from various parts of the country, near and remote, as rendered it morally certain, that a sufficient number would NOT ATTEND. Nay, from my experience of the penny-post and its irregularities, even if the fummons were punctually and immediately fent, it is highly probable, that some of these jurors would not receive their citation to appear before the time when the trials would begin on the morning of the 6th. Besides, unless a premeditated wish to put off Cuthell's trial had subsisted, why was not the proper chance of attendance given, by filling up that deficiency of the two cyphers from death and frenzy, as before stated? Observe then the consequence. By this management in evading Cuthell's trial, the brunt of the battle falls on Jordan or on Johnson; men, according to my estimation

of things, just as innoxious, in the article of publication, as Cuthell himself; because no real guilt can attach in my mind to any publication of the sort: but Jordan and Johnson were not, as publishers, so novel, and therefore so unexceptionable, as Cuthell, in the eye of the law and the accuser; and, of course, a verdict was more likely to be obtained against them, than Cuthell. The thing speaks loudly and distinctly enough for itself; otherwise, aggravation and confirmation of this artistice are at hand. Step forth, and defend yourself, if you can. Had such a pitiful and insidious impulse as this missed its way, and straggled into my breast, I should have had the magnanimity, I hope, to exclaim with Dido:

Sed mihi vel tellus optem prius ima dehiscat, Vel Pater omnipotens adigat me fulmine ad umbras, Pallentes umbras Erebi, noctemque profundam, Ante, Pudor! quam te violo, aut tua jura resolvo.

The man, who is influenced by other motives and affections,—I envy not the sensations of his breast.

Sir John! of a dull scholastic mole, blundering about above ground in the glare of day; the dim curtain of whose optics repels the sharp rays from the wisdom of our ancestors) I cannot help remarking, that the privilege of reply in the accuser, which gives time for the impressions of the defence to rise up and disappear from the minds of a jury, weary and somnolent from the length of trial, is not only a most palpable violation of all speculative justice, but stands in diametrical opposition to the spirit of English law; which affects, I believe, unusual tenderness for the accused, and a generous interest in his missortune. Then comes the summary state-

ment of the judge; who, like every other mortal composition of earth and water \*, is subject to the wayward operations of pride, prejudice, and affection; who, from the nature of things, must, in causes like this, be disinclined to patronize and protect the accused party; and will gloss, exaggerate, distort, and conceal, accordingly.

6. Let me now proceed to a very momentous and extensive theorem, which I mean to maintain in its fullest latitude; The privilege of discussing through the press EVERY TOPIC OF HUMAN CONTROVERSY, moral, political, or religious, without a

fingle exception whatfoever.

Major rerum mihi nascitur ordo:

Majus opus moveo.

Now I most readily acknowledge myself to be one of those inapprehensive souls, who never could descry the relation between punishment and opinion. The connection, I allow, of the pillory and obedience, of a fine and silence, of imprisonment and suture inactivity, is discoverable by me, as well as by other men; but shew me, I entreat you, by some common rule, the correspondence between fine, imprisonment, and pillory, with illumination, consutation, and conviction, solid and sincere, if you be able †.

<sup>\*</sup> Αλλ' ύμεις μεν παντες ύδωρ και γαια γενοισθε : Hom. II. H. 99.

<sup>†</sup> You and Pitt seem to be perfect Umbrians in your notions. When a controversy arises between these people, they put on their armour, and fight it out with genuine hostility: and They, who destroy their adversary, are deemed to have been right in their opinion. See Stobæus, eth. ecl. 10. So ye two acknowledge no umpires of truth, but pistols and parchments; and, if ye can but imprison or kill your men, ye call that justice.

It feems to me just as rational to investigate the mensuration of the earth's diameter by the application of a pair of scales, or to penetrate the antipodes with Herschel's telescope. Mental conviction and corporeal discommodity, intimidation and knowledge, are not converging rays, coincident at last, though at a very distant point;—are not the asymptote and it's hyperbola, which indefinitely approach each other, as they are mutually extended; but are parallel lines, preserving the same respective distance for ever and for ever, without all possibility of incipient approximation through illimitable space.

"But certain opinions are detrimental to the "welfare of fociety." Opinions may be, but not the discussion of these opinions: which, if they be dangerous, can be exploded eventually and effectually by no other means, than those of free enquiry. Truth can only be established on the basis of unrestrained examination: she can only triumph

through the conflict of contending reasons.

"But your publication is libellous, seditious, and contrary to law." What law? the laws of philosophy, the laws of logic, or the laws of truth and reason? On subjects of speculation I can acknowledge no laws but these; laws, antecedent and superiour to all political regulations under heaven. Parliaments, lord chief justices, and attorneys-general, can claim no authority, can exercise no jurisdiction, in this high tribunal of unalienable right. If they can, let them produce their credentials; let them substantiate the vouchers of their prerogative.

Quid hoc rei est? Regnumne, Æschine! heic tu possides?

But Sir John Scott says, "I THINK these senti-"ments wrong and pernicious." Marcus Tullius negat. Gilbert Wakesield says, No. And what right, I wish to be informed, can one man claim, distinct from power, and tyranny, and usurpation, to dictate creeds, and to prescribe sentiments, for another?

Let us put an extreme case upon this question, which will abundantly elucidate, and indubitably decide, the controversy: I mean the publication of

Paine's Age of Reason.

Never do I feel myself, I consess, so inclined to mistrust the solidity of my own decisions, however conscious of a rectitude of purpose, as when I differ from men of elevated genius and fine accomplishments. I dissent, for example, on this occasion from Mr. Erskine; a man, who is all illumination, all energy, all intelligence!

Infigne mœstis præsidium reis, Et consulenti Polio curiæ.

But I am ready to disclose the reasons of my persuasion, and to listen with purged ears and unbiassed affections to the arguments of an opponent. Till these arguments, however, be stated and enforced, to that persuasion I must adhere.

Claudus viator omnia certiora fert:

A lame traveller brings the best intelligence. Not unfrequently we grovelling mortals, of slow faculties and painful drudgery, stumble upon truths, as Gulliver in Brobdingnac against the snail-horn, which escape the rapid march and sublime contemplations of a soaring genius.

There never was, I positively aver, a more detestable publication, a more infamous compound of arrogance, effrontery, and wickedness, than Paine's Age of Reason; and I demonstrated my opinion of that performance by a reply to both parts, in a style and manner, which most people thought offensive and intemperate, but which alone could convey in commensurate expression my genuine judgement of so soul a work. But I would not forcibly suppress this book; much less would I punish (O! my God! be such wickedness far from me: or leave me destitute of thy savour in the midst of this perjured and sanguinary generation!) much less would I punish, by fine or imprisonment, from any possible consideration, the publisher, or author, of those pages.

Prudential motives would prevent me: because such interdiction serves only to excite the restless curiosity of mankind; and the restraints of law

give fresh vigour to circulation.

Motives of philosophy would prevent me: because enquiry and discussion are hereby provoked; and sparks of truth, which would otherwise have been concealed for ever, are elicited by the collision of debate; to the unspeakable emolument and illumination of mankind, in the promotion of mutual forbearance and esteem, in the furtherance of valuable knowledge, and in the confequent propagation of all happiness and virtue. Truth can never fuffer from argument and enquiry; but may be effentially injured by the tyrannous interference of her pretended advocates. Impede her energies by the pains and penalties of law; and, like the FAME of Virgil, the will creep along the ground, diminutive in stature, and shrunk with apprehension: give free scope to all her tendencies; and she will soon collect her might, dilate herself to the fullness of her dimensions, and reach the stars.

Parva metu primo; mox fese attollit in auras, Ingrediturque solo, et caput inter nubila condit \*.

Motives of justice would deter me. Why should I refuse another that privilege of thinking and writing, which I claim and exercise myself?

Motives of bumanity would deter me. I should think with horror on the punishment of any man for his belief; in which he has no discretionary power, but is necessarily swayed by the controlling despotism of arguments and reasons: and at what licence or patent shop shall I purchase a gag to silence him? Or what shall hinder him from forming the same unfavourable judgement of my opinions, and pursuing in his turn the same measures of intimidation and coercion with myself?

\* Blackstone, Comm. iv. 11. fays extremely well: "To " subject the press to the restrictive power of a licenser, is to " subject all freedom of sentiment to the prejudices of one " man, and make him the arbitrary and infallible judge of all "controverted points in learning, religion, and govern-"ment." But this highly respectable writer was not aware of the inconfishency of this declaration with the subsequent and preceding paragraphs. "If a man publishes what is "improper, mischievous, and illegal, he must take the con-" fequence of his own temerity." And, "To punish, as the " law does at prefent, any dangerous or offenfive writings, "which, when published, shall on a fair and impartial trial " be adjudged of a pernicious tendency, is necessary for the " preservation of peace and good order, of government and " religion; the only folid foundations of civil liberty." That is, the judgement in this case shall be transferred from the prejudices of one man to the prejudices of another; from the speculative student, to a crastsman essentially interested in those corruptions, which this student has been attempting to develop and expose: and the final award rests with the prejudices of a majority, which varies through all the numbers

between twelve and one; and that one possibly a tailor or of the function of the functions.

Quam temere in nosmet legem fancimus iniquam !

Thus the fair and goodly creation of the Almighty is to be converted into a howling wilderness of savage beasts, alternately hunting and wor-

rying each other.

Lastly, motives of Religion would deter me from molesting any writer for the publication of his fentiments. No proposition in nature is more luminously depicted on the pages of the\_ Gospel by the fun-beam of Revelation, than this before us. When\* the fervants of the householder came to inform their mafter, that tares were fprung up among the wheat; and enquired, whether they fhould go and pluck them up: he replied in these memorable words; words of intelligible purport and indisputable application : NAY; lest, while ye gather up the tares, YE ROOT UP ALSO THE WHEAT WITH THEM .- LET BOTH GROW TOGETHER UN-TILL THE HARVEST: and, in the time of barvest, I will say to the reapers, Gather ye together first the tares, and bind them in bundles to burn them; but gather the wheat into my barn.

You see, Sir John! that Christ has taken the execution of these judgements on the mind into his own hands, and will settle them himself at the Grand-Assize in the general resurrection of the just and unjust: and will you presume to oppose your precedents and statutes to the divine decision; your parchment-rolls to his book of life †? in which I hope your name has been also written from the foundation of the world. Remember, HE COMETH

<sup>\*</sup> Matthew, xiii. 24 — 31. one of those similar finitudes of inimitable beauty so common in these books: similar finitudes, unrivalled in the repositories of human ingenuity and invention. † Philippians, iv. 3. ‡ Revelations, xiii. 8.

QUICKLY. Hold that fast, which thou hast; that no man take thy crown\*. There is no mention of delivering over to the secular arm for these things in THE WORD OF GOD!

Again. When † a council of Jewish priests and Rabbis (the pompous Prelates, Chief-Justices, and Attorneys-General, of those days) were assembled to devise some punishment of Peter and the other apostles, for preaching the name of Jesus in opposition to the practices of these depraved rulers; Gamaliel, a Pharisee and Doctor of the law, rose up, and gave this advice, irresistibly cogent and convincing:

Refrain from these men, and LET THEM ALONE. For, if this counsel, or this work, be of men, it will come to nought; but, if it be of God, ye cannot over-throw it; lest haply ye be found to fight against GOD.

The council had the wisdom and moderation to follow these sensible directions. And will you, Sir! audaciously set yourself up for a Seomaxos, a sighter against God? A worm, a reptile of the dust, under an absurd pretence of religion and social order, take arms against his Saviour, and trample under foot the express injunctions of God himself? Never let it be said of you, Sir John! that you had space to repent, and repented not \(\frac{1}{2}\).

These are a summary of my reasons for a liberty of the press perfectly unrestrained, on all possible topics of investigation and debate. Through the benign influence of this liberty, and a vigorous cultivation of our intellect under a political system, at once generous, humane, and ener-

<sup>\*</sup> Revelations, iii. 11. † Acts, v. 33-41. A most interesting and edifying piece of history.

‡ Revelations, ii. 21.

getic, Philosophy in all her branches would expand with genial fertility, Taste and Learning would thrive with full luxuriance, Reason would reign triumphant, and Revelation would speedily wave the cross on her victorious banners through the extremities of the globe. A cubic inch of air can dilate itself through the prodigious sphere of Saturn's orbit. Man would approximate by illimitable advances to that perfection, which the Gospel \* exhorts him to attain. The kingdoms of the world would become the kingdoms of our Lord and of his Christ +. Pains and penalties, imprisonments and murders, the diabolical implements of corrupt unregenerated men! would be superseded by gentleness and philanthropy, perfuafion, mutual forbearance, Tyranny, with all her lictors, universal love. a foul and fanguinary train! would be confounded and confumed by the brightness t of the divine presence; and their memorial blotted out for ever. From the rising of the sun to the going down thereof, incense would be offered to the name of Jesus; and a pure offering §.

Phosphore! redde diem. Quid gaudia nostra moraris? Cæfare venturo, Phosphore! redde diem.

But I feel no inclination to pursue this subject further. I am impatient to refume the tenor of my studies, which I leave with extreme reluctance; and to conclude this address.

In these remonstrances, and in every thing which I have written, no personal resentments, no indirect views of felfishness or ambition, have wrought upon my mind: my motive is a simple wish to contribute my best efforts to the melioration of

<sup>\*</sup> Matthew, v. 48. † Revelations, xi. 15. † 2 Thessalonians, ii. 8. † Malachi, i. 11.

kuman life, and the promotion of human happiness, temporal and eternal. Edicts, and statutes, and courts, and laws of men, the perishable produce of ignorance and depravity, have been overlooked by me in the adjustment of my life and actions, with eyes devoutly raifed, and immoveably directed, to the revealed will of God. This alone, in the general inundation of earthly things, amidst the wreck of mortal institutions and devices by the waves of time, will continue it's career, uninjured and unmolested, on the ocean of eternity. If the prefent ministry were at this moment deprived of their stations, even with my opinion of their fuperlative demerits, it is utterly impossible for a fingle wish, that even a bair of their beads \* should perish by violence, to intrude into my bofom: and I most folemnly declare, that I look upon the conduct of you, Sir John! on that of my lord Kenyon, and the rest of your associates, with your advantages of education and knowledgefo occupied as ye are in molesting and punishing your fellow-creatures; with fentiments of aftonishment and horror, to which language could not eafily do justice. By the late decision at Guildhall, I have become alas! the involuntary accessory to a complete annihilation of the liberty of the press in this country, as far as an opposition to the meafures of the present administration is concerned: because your object is accomplished; and no bookfeller of established fame and fortune will choose to interfere in future with publications of this complexion: nor indeed can a writer of humanity folicit fuch interference with fatisfaction to himfelf. Our rulers must be now configned, in filent hope or expectation, to the gradual, but unfailing, process

<sup>\*</sup> Luke, xxi. 18.

of dissolution from innate radical depravity; a disfolution as fure, as the tendencies of vice and virtue to terminate reciprocally in prosperity or ruin under a divine administration of the universe. What I most cordially lament, as an evil for which compensation lies beyond my power, is the serious inconveniencies, too probably impendent over those, who are totally guiltless of this ill-starred transaction in all it's relations and dependencies.

Me, me! adsum qui feci: in me convertite ferrum, O! Rutuli! Mea fraus omnis:—nihil iste nec ausus, Nec potuit — \*.

When I read such passages as this in my rule of life: And they departed from the presence of the council, REJOICING that they were counted worthy to suffer shame for the name of Jesus †: what a contemptible poltroon, what an odious apostate, should I regard myself; how unworthy the estimation of my sellow-citizens, and even life itself, were I to shrink in the hour of trial from any consequences attendant on a bold undisguised testimony in behalf of oppressed and vilified humanity, against a system of enormous peculation, of boundless prodigality, and remorfeless cruelty ‡!

Doubtless, it is a true saying, and worthy of all credence: The spirit indeed is willing, but the sless is weak ||. Under a prosecution of that conduct, which I have prescribed to myself, and from which, I trust, no terrors will divert me; I had much rather, I do not dissemble, continue my lucubrations, unprositable and discouraging as they are, in

Matthew, xxvi. 41.

<sup>\*</sup> Virgil, Æn. ix. 427. † Acts, v. 41. † Summum crede nefas animam præferre pudori, Et propter vitam vivendi perdere caussas. JUVENAL, viii. 83.

this study, than be transferred to the bridewell in Cold-Bath-Fields; whither my fellow-labourers and brother libellers, Smith and Birks, are gone before me! and be thus excluded, like them, for years (HEAR, O! HEAVENS, and GIVE EAR, O! EARTH \*!) from father and mother, brother and fifter, wife and child, relative and friend, except by a remote view and restrained converse, of which I have partaken, through iron grates †, with ruffians by your fide, fcowling ferocity and menace. But in the glorious cause of human rights and national deliverance, and to bring an odium on the measures of ungodliness and despotism, I could endure more than this, not only with cheerfulness, but with exultation. Perhaps, an intercourse with my books, the faithfullest friends and the pleasantest companions of a good conscience, amidst all the perturbations of terrestrial things, and all the vicifitudes of time and place ‡, might be conceded me, by these men also, (not lost, peradventure, to all defire of estimation with their less ferocious and obdurate advocates, nor estranged from all confideration of

Intendunt oculos.

This is a literal unexaggerated fact, on which I stake my character for honour and veracity with the public. After an ocular evidence of this treatment, and other efforts for redress, I wrote to Dr. Glasse, a dignified clergyman in the Church, and one of the visitors of this prison; concluding, that a scholar and a Christian might be induced to commisserate the condition of these booksellers. But in vain. Nay, the Doctor threatened to lay my correspondence with him before the Privy-Council: an idea, which met with great encouragement from me. I have the letters still by me, and at their service.

‡ Ουν εστιν εδεν ατυχιας ανθρωπινης Παραμυθιόν γλυκυτερον εν βιώ τεχνης. Επί τα μαθηματος γαρ έστηκως, ο νας 'Αυτε λεληθε παραπλεων τας συμφορας. Αμτιικ of dissolution from innate radical depravity; a disfolution as fure, as the tendencies of vice and virtue to terminate reciprocally in prosperity or ruin under a divine administration of the universe. What I most cordially lament, as an evil for which compensation lies beyond my power, is the serious inconveniencies, too probably impendent over those, who are totally guiltless of this ill-starred transaction in all it's relations and dependencies.

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of European states) even in this BASTILE of BRITAIN. A man of my sentiments and habits, on that Aceldama, into which your friends and employers, Sir John! have converted two continents, and of late even the neighbouring dominions of their master \*;

gaudent perfusi sanguine fratrum: -

amidst these tears, and groans, and shrieks, of agonizing humanity, convulsing our ears, and cracking the sibres of our hearts; a retired student, with the sympathies of mortality about him, can have no wish to live without an effort for the redemption of his species: and REASON only can rescue them from servitude, by bursting the chains of vice and IGNORANCE; the sole canker-worms, that corrode the blossoms, and consume the fruits, of public and private happiness.

And now, Mr. Attorney General! let me impress one caution upon your mind, before I dismiss you from this unwelcome subject. Take care to exhibit some legitimate appearances at least of TRUTH and MODESTY through the veil of verbose formality. If I be really unknown to you, my character and communications are within your reach, upon very accessible and proximate enquiry among your friends. Entertain more reverence for yourself, than

<sup>\*</sup> It is curious to hear how the advocates of the Ministry defend their measures against Ireland. "The claims of the "Catholics could not have been granted without the massa-"cre of all the Protestants." Can we conceive a more wicked libel upon the Creator himself, than this? As if he had fashioned a creature, who is hardened in serocity, and rendered incorrigibly malignant, by kindness, conciliation, and indulgence! But there never yet was a cause so wicked, but could find as wicked an apologist.

to accuse me thus with unprincipled temerity of scandalous, malicious, and seditious libels against the PEACE of the king and country; lest you, in your turn, stand accused by me, but with more truth and justice, in a tone loud and peremptory, at the bar of Religion and Humanity, as the co-operator and abettor, of a most wicked ministry, unexampled in the devastation of their species! not of sedition only, but of TREASON, against the laws and constitution of our ancestors; nay, of an impious conspiracy against the welfare, and even the very existence, of the whole human race. They stone the martyr; but you hold their cloaths.

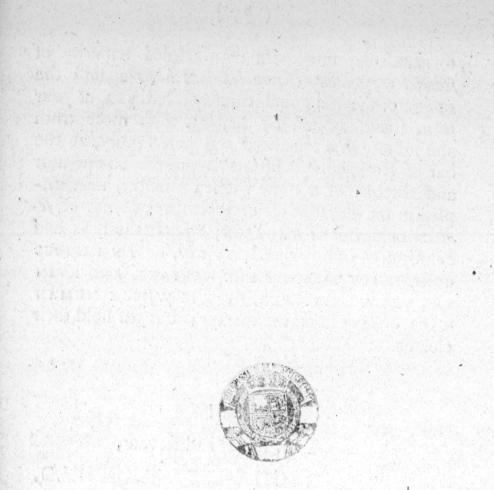
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Sir!

Your friend and fervant,

GILBERT WAKEFIELD.

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4. A Discourse on Animal Food: shewing the baneful effects of this diet on the health, and happiness moral and political, of man-

kind.

5. An Enquiry into the Origin of Articulate Language and Alphabetical Characters: wherein it will appear morally certain, that the former must be assigned to no other cause than the immediate interposition of the Deity; and that the latter is intimately connected with the divinity and truth of the

Mosaic revelation.

6. A Discourse on Capital Punishments: or an attempt to prove, that the deliberate deprivation of human life by man is, not only cruel, impolitic, and inefficient, but, in all circumstances and in every case without exception, a most daring usurpation of the divine prerogative, and an essential obstacle to the happiness and virtue of mankind.

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